



Policy Manual Standard Operating Procedure	
SOP Number: 12-01i	Subject: Use of Force
Authorized by: Chief Robert Connolly	
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Signed: Robert Connolly	
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1. PURPOSE

This directive sets standards for the use of force by Georgia Tech Police Department police officers in the line of duty. It provides for documenting and reviewing officer-involved use-of-force incidents.

2. POLICY

2.1 Georgia Tech police officers will use only reasonable force to accomplish lawful objectives and apply de-escalation techniques when possible in accordance with federal and state law and Department directives. Lawful objectives include effecting an arrest, preventing escape, preventing injury, preventing damage to property, and maintaining or restoring order. Officers will never use force to punish an offender.

CALEA 6th edition standard 4.1.1

2.2 An officer may use deadly force only when the officer reasonably believes that the action is in defense of any human life in imminent danger of death or serious bodily injury.

CALEA 6th edition standard 4.1.2

2.3 The Department will not tolerate unreasonable or unnecessary use of force.

2.4 The use of neck restraints (i.e., vascular neck restraints and choke holds) is prohibited. The use of any technique restricting the blood flow to the brain or intake of oxygen for the purpose of gaining control of a subject is prohibited unless deadly force would be reasonable.

CALEA 6TH edition standard 4.1.6 and 4.1.7

3. RESPONSIBILITIES

3.1 The Deputy Chief and division commanders will monitor the use of force and the reporting of use of force within their respective commands.

3.2 The lieutenants and sergeants will monitor officers' handling of citizen interactions, provide appropriate back up, and investigate and review uses of force.

3.3 The division commander responsible for training will monitor the use of force for needed improvements in the Department.

3.4 The Investigation Division commander will investigate any use of force incident that results in a serious injury or death. In his or her discretion, the Chief may request the Georgia Bureau of Investigation conduct an investigation.

3.5 Department employees will comply with this directive in carrying out their duties.

4. Using Force

4.1 General Provisions

4.1.1 The use of force is permissible only in accordance with the United States Constitution, United States Supreme Court rulings, Georgia court rulings, the laws of the State of Georgia, and Georgia Tech Police policy. Nothing in this policy will be construed as authorizing the use of unnecessary or unreasonable force.

4.1.2 The prohibition against the use of unnecessary or unreasonable force will not be construed as requiring the officer to meet a combative or resisting subject with strictly equal force. Rather, the officer is

authorized to use the degree of force that would appear reasonably necessary to bring the subject under the officer's control.

- 4.1.3 The degree of force employed will be considered in the context of the number of subjects present, the type of resistance employed, the number of officers present, the number of bystanders present, and other relevant circumstances. The kind and amount of force reasonable and necessary for self-defense or offender control will not be the same for all officers. Differences in officer size, age, strength, skill level, medical condition, defensive equipment, and experience may justify different levels of force in overcoming a resistive offender.
- 4.1.4 Escalation/De-Escalation of Force: There is no requirement to use levels of force in sequence or to directly match the behavior of the subject. For example, if an officer arrives on scene, witnesses a suspect stabbing a victim with no hesitation upon the officer's arrival, an officer may be justified in using lethal force. Once the violator has complied and become cooperative, the escalation of force by the officer must cease.
- 4.1.5 Officers will not strike or attempt to strike individuals who are handcuffed or who have been otherwise sufficiently restrained unless such person is attempting to kick, bite, or otherwise assault the officer and the officer cannot otherwise reasonably avoid such assault and still carry out the officer's assigned duties. An officer may use reasonable force to require an uncooperative individual to move from one place to another if the individual refuses to do so on his or her own accord if the movement is necessary to accomplish an assigned task.
- 4.1.6 In circumstances where officers are assaulted or where the subject resists arrest or relocation, officers should lodge appropriate criminal charges against the subject.

4.2 Discharging Firearms

- 4.2.1 Officers may discharge firearms in the performance of a law enforcement duty:
1. When practicing or qualifying their marksmanship at a firing range.
 2. When killing dangerous animals, if other dispositions are impractical.
 3. In compliance with O.C.G.A. 17-4-20.

4. Due to the hazard posed by warning shots, warning shots are prohibited.
CALEA 6th edition standard 4.1.3
5. Firearms are not to be discharged from any moving vehicle or at any moving vehicle except when necessary in the defense of the officer's life, or the life of another person. When jeopardy is no longer present, officers may not fire from or at any moving vehicle.

4.3 Medical Attention

CALEA 6th edition standard 4.1.5

- 4.3.1 If a use of force incident of any kind results in injuries or complaint of injuries to any person, the officer(s) involved must summon appropriate medical assistance as quickly as reasonably possible. Until medical assistance is available, the officer(s) should render first aid within the limits of their training and the equipment available. The provider of medical attention, either officers, EMT's, or a medical facility, must be documented in the incident report.
- 4.3.2 It is the responsibility of any employee having immediate knowledge of such injury or complaint of injury to exercise reasonable care to ensure that appropriate treatment is provided.
- 4.3.3 With respect to O.C. (oleoresin capsicum) use, officers will also follow these guidelines:
 1. Officers will flush the eyes and face of the affected subject with clean water as soon as reasonably possible after the subject is secured. Officers will advise the subject that symptoms are temporary.
 2. Officers will request the assistance of EMS at the scene to evaluate the need for further treatment.
- 4.3.4 Notify the duty supervisor as to the injury or complaint of injury and the treatment provided or requested.

5. Reporting Use of Force

CALEA 6th edition standard 4.2.1

5.1 Documenting Use of Force

- 5.1.1 The use of force can be a high liability issue. It is critical to document each person's involvement in the incident. Accusations of inappropriate use of force are judged from the perspective of a reasonable, well-trained officer. Documentation is critical.

5.1.2 Whenever an employee of the Department is in an incident described by section 5.2.1, she or he must notify a supervisor immediately. She or he must prepare a detailed Incident Report.

5.2 When a report is required

5.2.1 An employee will submit an incident report whenever he or she:

1. Discharges a firearm for other than training or recreational purposes. An officer who accidentally discharges a weapon with no injury or property damage must complete an incident report; a Use of Force Report is not necessary (e.g. weapon is accidentally discharged during clearing prior to cleaning).
CALEA 6th edition standard 4.2.1 a
2. Takes an action with or without a weapon that results in, or is alleged to have resulted in, injury or death of another person;
CALEA 6th edition standard 4.2.1 b
3. Applies force through the use of lethal or less lethal weapons;
CALEA 6th edition standard 4.2.1 c
4. Applies weaponless physical force to the extent that it causes death, injury, or continuing pain to another person.
CALEA 6th edition standard 4.2.1 d
5. Points a firearm at another person.

5.2.2 If more than one officer uses force in an incident, each officer will be required to complete the necessary reports. Officers who are present, but do not use force, will file a supplement.

5.2.3 The following information will be included in the Use of Force and/or Incident Report:

1. Date and time of incident;
2. Location of incident; describe the physical setting;
3. The type of call and the circumstances surrounding the call;
4. How the incident occurred; the subject's demeanor, size, and statements; the number of subjects and officers involved; what was said by subjects and officers during the incident;

5. What force options the reporting officer used, how he or she applied them, and why he or she used force.
 6. Person or property struck; describe all injuries to the subject, officers, third parties, and property;
 7. Describe any medical treatment or due care and identify the provider of any medical treatment.
 8. Include the elements of the crime in the narrative and identify all subjects, officers, and third parties at the scene
- 5.2.4 Submit these reports for command review as soon as practical following the incident, and in any case, before the end of the shift; unless a delay is authorized by the Chief.
- 5.3 Employees observing another officer's use of force:
- 5.3.1 Officers observing a use of reportable force who do not believe the spirit and intent of the reporting requirements are being met will advise their supervisor.
 - 5.3.2 Officers observing a use of reportable force will submit a detailed supplemental report.
 - 5.3.3 Any employee observing any unreasonable use of force will intervene within their training and ability and notify their supervisor.
CALEA 6th edition standard 1.2.10
- 5.4 Supervisor responsibilities
- 5.4.1 The immediate supervisor of the officer will respond to the scene to assess the incident, conduct an investigation, collect evidence, and ascertain witness information.
 - 5.4.2 Ensure that other officers observing a use of reportable force submit a detailed supplemental report.
 - 5.4.3 Promptly complete the Use of Force Report in the designated program (currently BlueTeam). This report will be completed by a supervisor who is at least one rank above the employee involved in the incident.

5.5 Summary of Required Reports

Supervisor	Use of Force Report
Involved Officer(s)	Incident Report
Observing Officer	Supplemental Report

5.5.1 All incident, supplemental, and use of force reports for a given situation must reference the same case number.

5.6 Notification and Investigation

5.6.1 The supervisor on duty will immediately inform the commanders of the Investigation and Patrol Divisions, the Deputy Chief, and the Chief of all incidents where the use of force results in serious bodily harm or death.

5.6.2 All incidents involving the use of force that results in an injury or death will be investigated. The officer's immediate supervisor will conduct the preliminary investigation. The investigation will begin upon the supervisor's arrival at the scene where force was used. The Investigation Division will complete the investigation of incidents in which serious injury or death resulted, or, in his or her discretion, the Chief may request the Georgia Bureau of Investigation to conduct an investigation.

5.6.3 All incidents involving the discharge of a firearm are also subject to investigation by local, state, and/or federal law enforcement agencies. An employee under investigation by federal or state investigators will be given the opportunity to meet with his or her attorney prior to meeting with the investigators.

5.7 Review of Use of Force Reports

CALEA 6th edition standard 4.2.2

5.7.1 Use of Force Reports will be reviewed by each level (supervision, command and executive) of the officer's chain of command (i.e., for a patrol officer: the sergeant and/or supervising lieutenant, patrol commander, and Deputy Chief and/or Chief will review the report). Each level on the chain of command will review the report and indicate their recommendation in the command review section. Incidents involving improper or questionable use of firearms will be referred to the Chief or Deputy Chief for his or her immediate attention.

5.7.2 A copy of the report will be given to the division commander responsible for training, and the original will go to the Office of Professional Standards for filing.

5.7.3 The firearms training staff may review Use of Force and corresponding Incident Reports to identify patterns and trends indicating training needs and equipment upgrades. The Office of Professional Standards may review the reports for needed policy modifications.

5.7.4 Annually, by January 31, the Office of Professional Standards will review and analyze the previous year's use of force incidents, looking for patterns or trends that could indicate training needs, equipment upgrades, or policy modifications. A written analysis will be submitted to the Chief, with copies to the division commander responsible for training.

CALEA 6th edition standard 4.2.4

5.8 Death or Serious Bodily Injury

5.8.1 Employees involved in force decisions, which result in death or serious bodily harm, will be removed from the scene as soon as practical.

5.8.2 Any employee whose actions or use of force in an official capacity results, or is alleged to have resulted, in death or serious injury will be removed from line-duty assignment pending administrative review of the incident in question. The purpose of this regulation is twofold: (1) to protect the campus community's interest when employees may have exceeded the scope of their authority in their actions or use of force and (2) to shield employees who have not exceeded the scope of their authority from possible confrontations with the campus community.

CALEA 6th edition standard 4.2.3

5.8.3 Employees involved will refrain from making statements about the incident except to his or her immediate supervisor, the investigator assigned the case or his or her attorney. Employees will refrain from making statements to the media about the incidents unless approved to do so by the Chief.

5.8.4 Employees may be required to submit to psychological screening no less than 72 hours after the incident. The Chief will appoint a psychologist. Employees may be placed on special assignment or granted leave until completion of psychological screening and/or clearance of any criminal charges. Employees may return to their normal duties after:

1. If sent for psychological screening, the report is favorable.
2. Investigations reveal no criminal intent.
3. No criminal charges filed by the District Attorney.
4. Favorable results of any other evaluation or training directed by the Chief.

6. DEFINITIONS

Control: The force used by an officer to influence or neutralize the resistance of an offender who is performing illegal activities.

Custody: The care and control of a thing or person. The detaining of a person by virtue of lawful process or authority.

Deadly force: A degree of force that may result in the death of the person against whom the force is applied. Force likely or intended to cause death or great bodily harm. Also called “lethal force.”

Escape: Leaving physical confinement without permission. The departure or deliverance out of custody of a person who was lawfully imprisoned or detained before he/she is entitled to his or her liberty by process of law. To flee from; to avoid; to get away, as to flee to avoid arrest.

Intermediate (less lethal) weapon: A weapon that is not specifically designed as a lethal weapon or force option, such as a baton, pepper spray, or electronic device.

Less lethal force: Any physical contact not intended or designed to cause death or great bodily injury.

Probable cause: Defined as the facts and circumstances which would lead a reasonable person to believe a crime has been committed and that a particular person committed it.

Reasonable belief: When the facts and/or circumstances the officer knows, or should know, are such as to cause an ordinary and prudent person to act or think in a similar way under similar facts and/or circumstances.

Reasonable force: Force that is necessary to compel compliance or gain control in order to accomplish lawful objectives, in light of the facts and circumstances confronting a reasonable, well-trained officer on the scene.

Resistance: The words, actions, and/or force used by an offender against an officer when the officer is trying to control the unlawful physical actions of the offender.

Serious bodily harm: A bodily injury that creates a substantial risk of death; causes serious, permanent disfigurement; or results in a long-term loss or impairment of the functioning of any bodily member or organ.

Statement on Animal Destruction: The use of lethal force (destruction) of an animal is a last resort response when there is an urgent threat to public safety or the animal is suffering extreme pain and/or injury. Less lethal means, such as O. C. pepper spray,

may be considered if dire circumstances are not present, but do not prevent the use of reasonable deadly force.

Use of force: The use of any weapon, tool, or object (including parts of a person's body) by a person which causes actual physical contact of the same, or another object, against the body or clothing of another person which is applied to exert control over the person against whom it is applied. Additionally, use of a motor vehicle to physically stop a person or another motor vehicle is considered a use of force.

7. CANCELLATION

This directive cancels SOP 12-01h "Use of Force."

8. REFERENCES

Graham v. Connor, *490 U.S. 386 (1989)*.

Malley v. Briggs, *475 U.S. (1986)*

Tennessee v. Garner, *471 U.S. 1 (1985)*

Georgia Code section 17-4-20 paragraph b: (b) Sheriffs and peace officers who are appointed or employed in conformity with Chapter 8 of Title 35 may use deadly force to apprehend a suspected felon only when the officer reasonably believes that the suspect possesses a deadly weapon or any object, device, or instrument which, when used offensively against a person, is likely to or actually does result in serious bodily injury; when the officer reasonably believes that the suspect poses an immediate threat of physical violence to the officer or others; or when there is probable cause to believe that the suspect has committed a crime involving the infliction or threatened infliction of serious physical harm. Nothing in this Code section shall be construed so as to restrict such sheriffs or peace officers from the use of such reasonable non-deadly force as may be necessary to apprehend and arrest a suspected felon or misdemeanor.

CALEA 6th edition standards, 4.1.1, 4.1.2, 4.1.2, 4.1.5, 4.2.1, 4.2.2, 4.2.3, 4.2.4

GTPD SOP 11-01, "Firearms"

GTPD SOP 11-02, "Intermediate Weapons"